

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, SEPTEMBER 19, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Ilryong Moon, Commissioner At-Large
Linda Q. Smyth, Providence District

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The meeting was called to order at 8:15 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Wilson MOVED THAT THE PUBLIC HEARING ON RZ-2002-LE-005, SUSAN WISE CLAY, BE DEFERRED TO A DATE CERTAIN OF OCTOBER 17, 2002.

Commissioner Byers seconded the motion which carried by a vote of 9-0-1 with Commissioner Kelso abstaining; Commissioners Moon and Smyth absent from the meeting.

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Commissioner Byers MOVED THAT THE DECISION ONLY ON SEA-98-V-042, BELLE HAVEN COUNTRY CLUB, INC., BE FURTHER DEFERRED TO A DATE CERTAIN OF SEPTEMBER 26, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn, Harsel and Wilson not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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In Commissioner Alcorn's absence, Chairman Murphy MOVED THAT THE PUBLIC HEARING ON ZONING ORDINANCE AMENDMENT (ATHLETIC FACILITIES) BE DEFERRED TO A DATE CERTAIN OF OCTOBER 30, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn, Harsel and Wilson not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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Chairman Murphy reminded Commissioners that public hearings on Area Plans Review nominations in the Mount Vernon District would take place on Wednesday, September 25, 2002; the Braddock and Mason Districts on Thursday, September 26, 2002; and the Lee and Springfield Districts on Wednesday, October 2, 2002. He noted that the meetings would begin 7:30 p.m.

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SEA-00-Y-018 - BROOKFIELD PLEASANT VIEW, LLC (Decision Only)

(The public hearing on this application was held on September 18, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA-00-Y-018 TO THE BOARD OF SUPERVISORS, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 19, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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SE-2002-DR-015 - IVY DEVELOPMENT (Decision Only)

(The public hearing on this application was held on September 18, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner DuBois MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF SE-2002-DR-015, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 19, 2002.

Commissioners Byers and de la Fe seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Moon and Smyth absent from the meeting.

Commissioner DuBois MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF A WAIVER OF THE SIDEWALK REQUIREMENT ALONG UTTERBACK STORE ROAD IN FAVOR OF AN EQUESTRIAN TRAIL.

Commissioners Byers and de la Fe seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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RZ-2001-LE-024 - EQUITY HOMES, LP

FDP-2001-LE-024 - EQUITY HOMES, LP (Decisions Only)

(The public hearing on these applications was held on September 18, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2001-LE-024 AND THE CONCEPTUAL DEVELOPMENT PLAN BY EQUITY HOMES, LP, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE NOW DATED SEPTEMBER 19, 2002 AND ATTACHED TO THE STAFF REPORT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Moon and Smyth absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2001-LE-024, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 AND THE BOARD'S APPROVAL OF RZ-2001-LE-024, AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Moon and Smyth absent from the meeting.

Commissioner Kelso MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD APPROVAL OF A WAIVER OF THE FENCE HEIGHT PER PARAGRAPH 8 OF SECTION 16-401 TO PERMIT THE PROPOSED WALL ALONG TELEGRAPH ROAD TO BE UP TO EIGHT FEET IN HEIGHT AND THE MODIFICATION OF THE TRAIL ALONG OLD TELEGRAPH ROAD TO THAT SHOWN ON THE CDP/FDP.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Hall abstaining; Commissioner Harsel not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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RZ-2002-PR-008 - CHRISTOPHER MANAGEMENT, INC.

FDP-2002-PR-008 - CHRISTOPHER MANAGEMENT, INC. (Decisions Only)

(The public hearing on these applications was held on September 12, 2002. A complete verbatim transcript of the decision made is included in the date file.)

In Commissioner Smyth's absence, Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-2002-PR-008 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 16, 2002.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION APPROVE FDP-2002-PR-008, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND THE BOARD'S APPROVAL OF RZ-2002-PR-008 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE OPEN SPACE REQUIREMENT FOR THE PDH DISTRICT BE WAIVED FROM 31 PERCENT TO 23 PERCENT PER PARAGRAPH 8 OF SECTION 16-401 OF THE ZONING ORDINANCE.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE 600 FOOT MAXIMUM LENGTH FOR A PRIVATE STREET REQUIREMENT BE WAIVED.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SECTION 7-0502.1A OF THE PUBLIC FACILITIES MANUAL BE WAIVED TO PERMIT CONSTRUCTION OF A DITCH SECTION STREET IN A SUBDIVISION WITH AN AVERAGE LOT SIZE OF LESS THAN 18,000 SQUARE FEET.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND THAT THE LIMITATION ON FENCE HEIGHT PER PARAGRAPH 8 OF SECTION 16-401 BE WAIVED TO PERMIT THE PROPOSED WALL TO BE LOCATED ALONG THE SITE

SHARED BY THE PROPERTY BOUNDARY WITH TAX MAP PARCEL 48-2((7))37 43A TO BE UP TO EIGHT FEET IN HEIGHT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

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PCA-86-W-001-08 - BOARD OF SUPERVISORS' OWN MOTION

PCA-86-W-001-09 - FAIR LAKES METROPOLITAN SQUARE II, LLC

FDPA-86-W-001-05-02-01 - FAIR LAKES METROPOLITAN SQUARE II, LLC

CDPA-86-W-001-03 - FAIR LAKES METROPOLITAN SQUARE II, LLC

PCA-86-P-089-05 - FAIR LAKES METROPOLITAN SQUARE II, LLC

FDPA-86-P-089-02 - FAIR LAKES METROPOLITAN SQUARE II, LLC (Decisions Only)

(The public hearing on these applications was held on September 11, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Murphy MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE PCA-86-W-001-08, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED AUGUST 12, 2002.

Commissioner Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE PCA-86-W-001-09, CDPA-86-W-001-03 AND PCA-86-P-089-05, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 27, 2002.

Commissioner Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE FDPA-86-W-001-05-02-01 AND FDPA-86-P-089-02, SUBJECT TO THE FINAL DEVELOPMENT PLAN CONDITIONS DATED SEPTEMBER 9, 2002.

Commissioner Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Moon and Smyth absent from the meeting.

Commissioner Murphy MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS FOR THE PERIMETER OF THE SITE IN ACCORDANCE WITH THE CDPA/FDPA AND A WAIVER OF THE BARRIER REQUIREMENTS FOR THE PERIMETER OF THE SITE.

Commissioner Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Moon and Smyth absent from the meeting.

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FS-B01-12 - SPRINT PCS - 8996 Burke Lake Road

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION FIND IN THE CASE OF FS-B01-12 THAT IT IS INDEED A "FEATURE SHOWN" AND IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Kelso abstaining; Commissioner Alcorn not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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FSA-Y96-70-1 - SPRINT PCS - 12777 Fair Lakes Circle

Commissioner Murphy MOVED THAT FSA-Y96-70-1 IS A "FEATURE SHOWN" IN ACCORDANCE WITH THE COMPREHENSIVE PLAN.

Commissioners Hall and Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Kelso abstaining; Commissioners Moon and Smyth absent from the meeting.

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FSA-S99-32-1 - SPRINT PCS - 8101 Long Shadows Drive

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION CONCUR WITH FSA-S99-32-1.

Commissioner Hall seconded the motion which carried by a vote of 9-0-1 with Commissioner Kelso abstaining; Commissioners Moon and Smyth absent from the meeting.

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FS-S02-17 - FAIRFAX COUNTY PARK AUTHORITY - 7315 Ox Road

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S02-17.

Commissioners Hall and de la Fe seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. RZ-2002-MV-020 - CHRISTOPHER MANAGEMENT, TR. OF ENGLSIDE BAPTIST CHURCH
FDP-2002-MV-020 - CHRISTOPHER MANAGEMENT, TR. OF ENGLSIDE BAPTIST CHURCH
SE-2002-MV-022 - TRUSTEES OF ENGLSIDE BAPTIST CHURCH
2. RZ-2002-DR-019/FDP-2002-DR-019 - WATERFORD MCLEAN, LLC
3. RZ-2002-HM-012 - H.B.L. INC.
PCA-82-C-056 - H.B.L. INC.
SE-2002-HM-014 - H.B.L. INC.

This order was accepted without objection.

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RZ-2002-MV-020 - CHRISTOPHER MANAGEMENT, INC., TRUSTEES OF THE ENGLSIDE BAPTIST CHURCH - Appl. to rezone from PDH-4 and HD to PDH-3 and HD to permit residential development on 12.88 acres at a density of 2.87 dwelling units per acre (du/ac) and approval of the conceptual development plan; and to rezone from PDH-4 and HD to R-3 and HD permit a church and related facilities and private school on 12.24 acres with a Floor Area Ratio (FAR) of 0.11. Located on the E. side of Richmond Hwy., approx. 1,000 ft. S. of its intersection with Pohick Rd. on approx. 25.12 ac. of land. Comp. Plan Rec: 3-4 du/ac. Tax Map 108-1 ((1)) 27A, 27B and 108-3 ((1)) 16. (Concurrent with FDP-2002-MV-020 and SE-2002-MV-022.) MT. VERNON DISTRICT.

FDP-2002-MV-020 - CHRISTOPHER MANAGEMENT, INC., TRUSTEES OF THE ENGLSIDE BAPTIST CHURCH - Appl. to approve the final development plan for RZ 2002-MV-020 to permit residential development. Located on the E. side of Richmond Hwy., approx. 1,000 ft. S. of its intersection with Pohick Rd. on approx. 12.88 ac. of land. Comp. Plan Rec: 3-4 du/ac. Tax Map 108-1 ((1)) 27A pt., 27B and 108-3 ((1)) 16 pt. (Concurrent with RZ- 2002-MV-020 and SE-2002-MV-022.) MT. VERNON DISTRICT.

RZ-2002-MV-020 - CHRISTOPHER MANAGEMENT
FDP-2002-MV-020 - CHRISTOPHER MANAGEMENT
SE-2002-MV-022 - TRUSTEES OF ENGLSIDE BAPTIST CHURCH

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SE-2002-MV-022 - TRUSTEES OF ENGLSIDE BAPTIST CHURCH -
Appl. under Sect. 3-304 of the Zoning Ordinance to permit a church and related facilities and a private school of general education. Located on the E. side of Richmond Hwy., approx. 1,000 ft. S. of its intersection with Pohick Rd. on approx. 12.24 ac. of land zoned R-3 and HD. Tax Map 108-3 ((1)) 16 pt. and 108-1 ((1)) 27A pt. (Concurrent with RZ-2002-MV-020 and FDP-2002-MV-020.) MT. VERNON DISTRICT. JOINT PUBLIC HEARING.

Gregory Riegler, Esquire, McGuire Woods, LLP, reaffirmed the affidavit dated August 29, 2002. There were no disclosures by Commission members.

Commissioner Byers announced that at the close of the public hearing, he would be deferring a decision on these applications until October 2, 2002. He noted that the original staff report had recommended denial of the application, but that the addendum, distributed tonight, recommended approval.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Ms. Angela Rodeheaver, Fairfax County Department of Transportation, responded to a question from Commissioner Byers about the absence of an acceleration lane on Richmond Highway at the entrance to the development. Ms. Johnson responded to a question from Commissioner Byers about the limits of clearing and grading, and from Commissioner Wilson concerning the trails plan.

Mr. Riegler stated that the previously approved PDH-4 elderly housing project planned for the subject property had failed to go forward, and that an Out-of-Turn Plan Amendment had been approved in April 2002 recommending residential use with an option for a church. He explained that the applicants desired to develop the property with residential units and a church with a private school, which would be compatible with the surrounding area consisting of multi-family apartments and a sewage treatment plant. He said that the development would be accessed from an arterial road with a traffic signal. He noted that the proposed development was below the planned density range and that buffering would be substantially increased with a combination of tree save and supplemental plantings. He also said a traffic signal and interparcel connection with the Pohick Church property would be provided, and that all streets in the project would be public streets. He requested a favorable recommendation.

Commissioner Byers reiterated his concern about the lack of an acceleration lane. Mr. Riegler agreed to further research this issue.

RZ-2002-MV-020 - CHRISTOPHER MANAGEMENT
FDP-2002-MV-020 - CHRISTOPHER MANAGEMENT
SE-2002-MV-022 - TRUSTEES OF ENGLSIDE BAPTIST CHURCH

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Commissioner Wilson requested that Proffer Number II.5 be revised to require that prospective purchasers be advised of the proximity of the development to the Lower Potomac Sewage Treatment Plant before they were ready to enter into a contract of sale.

Chairman Murphy called the listed speaker and recited rules for testimony before the Commission.

Mr. Blase Burry, 6590 Pohick Bay Drive, Lorton, speaking on behalf of Pohick Church, expressed support for the proposed development.

Mr. Wesley Dick, address unknown, a member of the Engleside Baptist Church, also expressed support for the proposed development.

There were no further speakers, therefore, Chairman Murphy called upon Mr. Riegle for a rebuttal statement. Mr. Riegle declined.

Commissioner Wilson noted for the record that the Federation of Lorton Communities supported the proposed development.

There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT WE DEFER THE DECISION ONLY ON RZ-2002-MV-020 AND FDP-2002-MV-020 AND SE-2002-MV-022 TO A DATE CERTAIN OF OCTOBER 2, 2002, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Wilson and Alcorn seconded the motion which carried unanimously with Commissioners Moon and Smyth absent from the meeting.

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RZ-2002-DR-019/FDP-2002-DR-019 - WATERFORD MCLEAN, LLC -
Appls. to rezone from PDC, HC, SC and CRD to PRM, HC, SC and CRD to permit residential development with secondary commercial uses at an overall Floor Area Ratio (FAR) of 1.66 and approval of the conceptual and final development plans. Located on the N. side of Lowell Ave., E. of Laughlin Ave., and W. of Emerson Ave. on approx. 2.24 ac. of land. Comp. Plan Rec: Mixed use. Tax Map 30-2 ((9)) 56 – 66. DRANESVILLE DISTRICT.

Ms. Elizabeth Baker, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated August 21, 2002. There were no disclosures by Commission members.

Mr. Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Ms. Baker stated that the proposed development was a mixed-use project with high-quality architecture and a strong commitment to public amenities including the construction of Civic Place Green and the realignment of the intersection at Laughlin Avenue and Chain Bridge Road. She explained that all of the proffers associated with the previously approved development would be brought forward with the addition of a proffer for a contribution of one million dollars towards the new revitalization efforts in McLean. She noted that a minor increase in gross floor area was being requested so that the size of the units could be increased, but that the number of units would remain the same. She said the development would be a show piece for downtown McLean and that it had the support of the McLean Revitalization Committee and the McLean Planning Committee. She requested favorable consideration.

In response to a question from Chairman Murphy, Ms. Baker said that the McLean Revitalization Committee would hold the proffered funds.

Chairman Murphy called the first listed speaker.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, on behalf of the McLean Citizens Association, said the Association strongly opposed closing any portion of Lowell Avenue to expand Civic Place Green because it would be detrimental to public safety and traffic circulation. (A copy of her remarks is in the date file.)

Mr. Daniel Duval, 1420 Beverly Road, McLean, President, McLean Planning Committee, expressed support for the proposed development.

Mr. Jack Wilbern, 9687 Farmside Place, Vienna, representing the McLean Revitalization Committee, also expressed support for the proposed development.

Mr. Wilbern responded to questions from Commissioner Harsel about the one million dollar contribution for the furtherance of the "main street" concept of McLean and about the opposition of the McLean Citizens Association to closing Lowell Avenue.

In response to a question from Commissioner Alcorn, Commissioner DuBois said that Proffer Number 13 stated that the contribution "would be subject to the terms and conditions of an escrow agreement to be executed by and between the applicant, the Board of Supervisors and the McLean Revitalization Committee."

There were no further speakers, therefore, Chairman Murphy called upon Ms. Baker for a rebuttal statement. Ms. Baker declined. Mr. Braham noted that a draft of the escrow agreement was contained in the staff report, which stated that the contribution would be made at the issuance of the first non-RUP or 18 months from the approval of the rezoning.

There were no further questions or comments from the Commission or staff, therefore, Chairman Murphy closed the public hearing and recognized Commissioner DuBois for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-2002-DR-019, SUBJECT TO THE EXECUTION OF THE DRAFT PROFFERS DATED SEPTEMBER 18, 2002 AND THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2.

Commissioner Koch seconded the motion which carried by a vote of 8-0-1 with Commissioner Harsel abstaining; Commissioner Byers not present for the vote; Commissioners Moon and Smyth absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2002-DR-019, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-2002-DR-019.

Commissioner Koch seconded the motion which carried by a vote of 8-0-1 with Commissioner Harsel abstaining; Commissioner Byers not present for the vote; Commissioners Moon and Smyth absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE REQUESTED MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING ON THE NORTHERN BOUNDARY IN ACCORDANCE WITH THAT DEPICTED ON THE CDP/FDP AND THAT THE LOADING SPACE REQUIREMENTS FOR THIS PROJECT BE REDUCED TO THREE SPACES.

Commissioner Koch seconded the motion which carried by a vote of 8-0-1 with Commissioner Harsel abstaining; Commissioner Byers not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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RZ-2002-HM-012 - H.B.L. INC. - Appl. to rezone from PDC, HC and SC to C-7, HC and SC to permit commercial development with an overall Floor Area Ratio (FAR) of 0.26. Located in the S.W. quadrant of Leesburg Pi. and

RZ-2002-HM-012 - H.B.L. INC.
PCA-82-C-056 - H.B.L. INC.
SE-2002-HM-014 - H.B.L. INC.

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Westwood Center Dr. on approx. 2.41 ac. of land. Comp. Plan Rec: Mixed use. Tax Map 29-3 ((20)) 1. (Concurrent with SE-2002-HM-014 and PCA-82-C-056.) HUNTER MILL DISTRICT.

PCA-82-C-056 - H.B.L. INC. - Appl. to amend the proffers for RZ-82-C-056 to permit deletion of land area. Located in the S.W. quadrant of the intersection of Leesburg Pi. and Westwood Center Dr. on approx. 2.41 ac. of land zoned PDC, HC and SC. Comp. Plan Rec: Mixed use. Tax Map 29-3 ((20)) 1. (Concurrent with RZ-2002-HM-012 and SE-2002-HM-014.) HUNTER MILL DISTRICT.

SE-2002-HM-014 - H.B.L. INC. - Appl. under Sect. 4-704 of the Zoning Ordinance to permit a vehicle sale, rental and ancillary service establishment and drive-in bank. Located at 8601 Westwood Center Dr. on approx. 2.41 ac. of land zoned C-7, HC and SC. Tax Map 29-3 ((20)) 1. (Concurrent with RZ-2002-HM-012 and PCA-82-C-056.) HUNTER MILL DISTRICT.
JOINT PUBLIC HEARING.

John Farrell, Esquire, with McCandlish and Lillard, PC, reaffirmed the affidavit dated September 9, 2002. There were no disclosures by Commission members.

Ms. Cathy Lewis, Zoning Evaluation Division, Department of Planning of Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Mr. Farrell stated that the proposed development had a favorable recommendation from the Hunter Mill Land Use Advisory Committee. He said the applicant was in agreement with the development conditions proposed by staff to ensure that vehicles were loaded and unloaded at designated areas only. Addressing another issue raised by staff, he said the applicant, who leased the building, was reluctant to commit to architectural changes because the owner would have to obtain PCA approval in the event he wanted to refurbish the building. Mr. Farrell explained that the applicant had agreed to a development condition requiring the reservation of ten feet of right-of-way at a cost of \$35,000 for the future rail extension from West Falls Church Metro Station to Dulles Airport, but was not willing to agree to a contribution to the Tysons Area Road Fund. He pointed out that the proposed development would result in a substantial reduction in traffic, and that, combined with the dedication of right-of-way and landscaping, represented a substantial contribution to transportation improvements in the area.

In response to a question from Chairman Murphy, Mr. Farrell said a contribution to the Tysons Area Road Fund would be about \$30,000. In response to another question from Chairman Murphy, Ms. Lewis said that although PCA applicants were not usually requested to contribute to road funds, a contribution had been requested in this case because one had not been made at the time of the original rezoning approved in 1982.

RZ-2002-HM-012 - H.B.L. INC.
PCA-82-C-056 - H.B.L. INC.
SE-2002-HM-014 - H.B.L. INC.

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Chairman Murphy commented that he believed the applicant should make a contribution to the Tysons Area Road Fund.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this application. (A verbatim transcript is in the date file.)

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Commissioner de la Fe MOVED TO DEFER THE DECISION ONLY ON PCA-82-C-056, RZ-2002-HM-012 AND SE-2002-HM-014 TO A DATE CERTAIN OF OCTOBER 10, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers not present for the vote; Commissioners Moon and Smyth absent from the meeting.

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The meeting was adjourned at 10:25 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: July 14, 2004

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission